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Attorneys for Plaintiff
Nutrishare, Inc.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Nutrishare, Inc., a California corporation,
Plaintiff,
v.
BioRx, LLC, an Ohio Limited Liability
Company,
Defendant.

Case No. 2:08-CV-01252-WBS-EFB

**DECLARATION OF ANITA WALLIN IN
SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

Date: August 4, 2008
Time: 2:00 p.m.
Dept: Courtroom 5

I, ANITA WALLIN, hereby declare as follows:

1. I am an individual residing in Western Springs, IL. I make this declaration of my own personal knowledge, and if called to testify, could and would testify consistent with the facts stated herein.

2. I am a gastroenterology registered nurse at Northwestern Medical Faculty Foundation, Chicago IL 60611

3. I have worked with Nutrishare for eight years, and refer patients whom in my medical judgment require total parenteral nutrition ("TPN"), to Nutrishare to be their long-term home TPN provider.

4. Recently, in approximately March, 2008, my colleague Dr. Buchman and I transferred one of our patients to another hospital so that she could be closer to her home and

1 family. As we knew the gastroenterologist at this hospital, we communicated to his office what
2 we believed would need to be done to get this patient started on TPN. While the patient was at
3 the other hospital I spoke with a discharge planner at the other hospital about setting up home
4 care and TPN shipment. I gave the discharge planner specific instructions to make sure
5 Nutrishare is the company we want to use for her TPN, as we are familiar with and very confident
6 with their quality of service. The second time I spoke with the discharge planner she mentioned
7 that she was working on getting this patient set up with NutriThrive. At first I thought she had
8 misspoken, but she repeated it. I then had to correct her that it was Nutrishare, not NutriThrive,
9 that we wanted for the patient's TPN. I didn't realize until a few days later when I saw an ad in, I
10 believe the Oley Foundation newsletter, that there truly is a company called NutriThrive.

11 I declare under penalty of perjury under the laws of the United States and the State of
12 Illinois that the foregoing is true and correct to the best of my knowledge.

13 Dated this 24 day of June, 2008, at Chicago, IL.

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16 ANITA WALLIN
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